

REMARKS

At the outset, the Examiner is thanked for considering the pending application. The Office Action dated June 10, 2010 has been received and its contents carefully reviewed.

Claims 17-40, 46-51, and 57-66 are pending in this application. Claims 17, 23, 29, 35, 46, 57 and 62 have been amended. Claims 17, 23, 29, 35, 46, 57, and 62 are independent. Applicant respectfully requests reconsideration of the pending claims.

In the Official Action, claims 17-36, 38-40, 46-47 and 49-51 were rejected under 35 U.S.C. § 103(a) over Hamilton (U.S. Patent Pub. No. 2002/0087973) in view of Newell I (The ATSC Data Broadcasting Specification) and Huckins (U.S. Patent No. 7,032,239); claims 37 and 48 were rejected under 35 U.S.C. § 103(a) over Hamilton (U.S. Patent Pub. No. 2002/0087973) in view of Newell I, Huckins and Newell II (Overview of the ASTC Data Broadcast Service Specification Version 1.0); claims 57-58, 61-63 and 66 were rejected under 35 U.S.C. § 103(a) over Hamilton in view of Applicants Related Art (ARA); and claims 59-60 and 64-65 were rejected under 35 U.S.C. § 103(a) over Hamilton in view of Applicant's Related Art (ARA); Newell I and Huckins.

Independent claims 17, 23, 29, 35, 46, 57, and 62 are amended to define the subject invention more clearly. Support for the amendments can be found throughout the original specification and Figs. 1-5.

Turning first to the rejection of independent claim 17, as acknowledged by the Official Action, Hamilton and Newell I fail to disclose Applicant's previously pending feature of a) downloading, from the server, an advertisement image based on the advertisement image path without configuring a module for extracting a directory object or a file object to display the

advertisement image; and b) displaying the downloaded advertisement image. To cure this deficiency, the Official Action applies Huckins.

Huckins describes a transmission method that includes: transmitting a first announcement including a content description for content arranged with at least two levels of granularity, the first announcement transmitted before any assignment of connection has been determined for the content, the first announcement including a service identifier to link with a second announcement; thereafter transmitting the second announcement including connection information for the content, including linking each of the granularity levels to connection information for the granularity; and transmitting the content after the first announcement and the second announcement.

Page 11 of the Official Action asserts that Huckins discloses (referring to Figs. 3 and 5 of Huckins) how to use a content (e.g. advertisement or any other content type) description and connection information to decouple the content and its location address, thereby providing a path to the location of the content (e.g. the IP address in Fig. 3, element 39) and accessing the content without configuring a module for extracting a directory object or a file object to display the advertisement image, (referring to Huckins' Abstract, Col. 5, line 51 through Col. 6, line 63). Applicant traverses this characterization of Huckins. Indeed, Applicant cannot understand how the cited portions of Huckins are even relevant to the feature in question. However, to advance progress toward allowance, the feature in question has been amended. Applicant submits there is no portion of Huckins that discloses Applicant's features of "extracting advertising-image related data from the DST, the advertising-image related data including an advertisement image path", "downloading, from the server, an advertisement image based on the advertisement image path *and obtaining the advertisement image without configuring a module for extracting a*

directory object or a file object to display the advertisement image”, and “displaying the *obtained* advertisement image.” Thus, Applicant submits that claim 17 patentably defines over the applied references. If Huckins is again applied as a basis of rejection for this feature, Applicant requests a detailed description for how the passages of Huckins are being interpreted to read on Applicant’s claims.

Analogous arguments apply to claims 23, 29, 35, and 46. Accordingly, Applicant submits that claims 17, 23, 29, 35, and 46 patentably define over the applied references.

Turning now to the rejection of independent claim 57, pages 42-43 of the Official Action assert that the paragraphs [13]-[15] and [32]-[40] of Hamilton discloses Applicant’s previously claimed feature of “wherein the step of extracting the second information is performed by without processing the first, second and third steps.”

Applicant traverses this characterization of Hamilton. Indeed, Applicant cannot understand how the cited portions of Hamilton are even relevant to the feature in question. However, to advance progress toward allowance, the feature in question has been amended. Applicant submits there is no portion of Hamilton that discloses Applicant’s feature of “wherein the step of extracting the second information does not include at least one of receiving a plurality of data sections referring to the second type descriptor, configuring the received data sections as a module, and extracting file objects from the module.” Thus, Applicant submits that claim 57 patentably defines over the applied references.

Analogous arguments apply to claim 62. Accordingly, Applicant submits that claims 57 and 62 patentably define over the applied references.

As none of the cited art, individually or in combination, disclose or suggest at least the above-noted features of independent claims 17, 23, 29, 35, 46, 57, and 62, Applicant submits the

inventions defined by claims 17, 23, 29, 35, 46, 57, and 62, and all claims depending therefrom, are not rendered obvious by the asserted references for at least the reasons stated above.

MPEP 2141 notes that prior art is not limited just to the references being applied, but includes the understanding of one of ordinary skill in the art. MPEP 2141 further notes that the prior art reference (or references when combined) need not teach or suggest all the claim limitations. However, an obviousness-type rejection must explain why the difference(s) between the prior art and the claimed invention would have been obvious to one of ordinary skill in the art. MPEP 2141 goes on to list exemplary rationales that may support a conclusion of obviousness. However, Applicant submits that the Official Action and the applied references present no objective evidence that would support an obviousness-type rejection of Applicant's amended claims based on one of these exemplary rationales.

CONCLUSION

Should there be any outstanding matters that need to be resolved in the present application, the Examiner is respectfully requested to contact Michael E. Monaco, Reg. No. 52,041, at the telephone number of the undersigned below, to conduct an interview in an effort to expedite prosecution in connection with the present application.

If necessary, the Commissioner is hereby authorized in this, concurrent, and future replies to charge payment or credit any overpayment to Deposit Account No. 02-2448 for any additional fees required under 37.C.F.R. §§ 1.16 or 1.147; particularly, extension of time fees.

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Dated: _____

Respectfully submitted,

By _____

Esther H. Chong

Registration No.: 40953

BIRCH, STEWART, KOLASCH & BIRCH, LLP

8110 Gatehouse Road, Suite 100 East

P.O. Box 747

Falls Church, VA 22040-0747

703-205-8000